

United States District Court
for the
Southern District of New York
Related Case Statement

Full Caption of Later Filed Case:

HEDGEYE RISK MANAGEMENT, LLC

Plaintiff	Case Number
vs.	22-cv-1113
NADINE TERMAN AND SOLSTEIN CAPITAL, LLC	
Defendant	

Full Caption of Earlier Filed Case:

(including in bankruptcy appeals the relevant adversary proceeding)

HEDGEYE RISK MANAGEMENT, LLC

Plaintiff	Case Number
vs.	1:21-cv-03687
DARIUS DALE, STEVEN LAMAR, and 42 MACRO, LLC	
Defendant	

Status of Earlier Filed Case:

☐

Closed

(If so, set forth the procedure which resulted in closure, e.g., voluntary dismissal, settlement, court decision. Also, state whether there is an appeal pending.)

☒

Open

(If so, set forth procedural status and summarize any court rulings.)

The Complaint was filed on April 26, 2021. The Court granted a preliminary injunction on July 28, 2021.

Discovery is ongoing. No trial date has been set.

Explain in detail the reasons for your position that the newly filed case is related to the earlier filed case.

Hedgeye expects and intends that the newly-filed case (Hedgeye v. Terman et al.) will be joined and consolidated with the prior case (Hedgeye v. Dale et al.) because the two matters involve identical facts and identical legal claims.

When Hedgeye learned that Defendant Dale misappropriated Hedgeye trade secrets, and committed other misconduct as alleged, Hedgeye promptly filed suit. When Hedgeye learned that Defendant Lamar had conspired with and assisted Dale, Hedgeye promptly amended its complaint to add Lamar as a defendant. Hedgeye also added as a defendant 42 Macro, LLC, the company that Dale and Lamar established to exploit the stolen Hedgeye trade secrets.

Hedgeye has now learned that Defendant Terman and her company Solstein Capital, LLC, also conspired and collaborated with Dale and Lamar.

Signature:

/s/ Eric Prager

Date:

02/09/2022

Venable LLP

Firm: